

the President of the United States. I do thank the majority leader for the timely consideration of this issue.

Let me also just point out I understand that there has to be vigorous debate on this issue. There also has to be votes. It is our intention to have votes on various amendments throughout this debate, and we need to have every one on record on this issue. Also, I know I can count on the majority leader and the distinguished Democratic leader in trying to bring closure to this debate, to this issue, after reasonable debate, in one fashion or another.

Again, I want to thank the majority leader. It shows again the majority leader of this Senate, as was the case when the other side was the majority, when the leader gives his word, when the majority leader gives his word, it is good. And if it were otherwise, this body does not function.

I thank the majority leader and I thank the Democratic leader for all of his cooperation.

Mr. STEVENS. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator.

Mr. STEVENS. Mr. President, I note that there is an understanding between us that conference reports coming out of the Appropriations Committee will receive prompt attention, but I wanted to make sure everyone understands that means putting aside anything that is here, to try and get these bills to the President before the end of the fiscal year.

Mr. LOTT. Mr. President, they are privileged, and would be brought up as soon as they are available. That is our highest priority as we reach the end of the fiscal year, and we want to move to immediate consideration of a continuing resolution also when it is available, if it is necessary, which I presume it will be.

Mr. STEVENS. Mr. President, the pending unanimous-consent agreement would provide 8 hours on that. I hope that, too, would be subject to taking up the conference reports as they become available.

Mr. LOTT. It would be. I hope we would not take 8 hours on the CR. I hope we have an understanding what is in it. It would be clean, I believe. There are only two amendments in order, one on each side. I hope maybe that would not be necessary and we would have short debate and go straight to vote.

Mr. STEVENS. I am sure Senator BYRD and I appreciate that very much.

Mr. LOTT. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the yeas and nays have been ordered on the defense appropriations conference report. The question is on agreeing to the conference report.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] and the Senator from Maryland [Ms. MIKULSKI] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 258 Leg.]

YEAS—93

Abraham	Faircloth	Lott
Akaka	Feinstein	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Rockefeller
Chafee	Hutchinson	Roth
Cleland	Hutchison	Santorum
Coats	Inhofe	Sarbanes
Cochran	Inouye	Sessions
Collins	Jeffords	Shelby
Conrad	Johnson	Smith (NH)
Coverdell	Kempthorne	Smith (OR)
Craig	Kennedy	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kyl	Thomas
Dodd	Landrieu	Thompson
Domenici	Lautenberg	Thurmond
Dorgan	Leahy	Torricelli
Durbin	Levin	Warner
Enzi	Lieberman	Wyden

NAYS—5

Bumpers	Harkin	Wellstone
Feingold	Kohl	

NOT VOTING—2

Biden	Mikulski
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The conference report was agreed to. Mr. INOUE. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

NOMINATION OF KATHARINE SWEENEY HAYDEN, OF NEW JERSEY, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDING OFFICER (Mr. DEWINE). Under the previous order, the Senate will go into executive session to consider the nomination of Katharine Sweeney Hayden, of New Jersey, to be U.S. district judge for the District of New Jersey, which the clerk will report.

The legislative clerk read the nomination of Katharine Sweeney Hayden, of New Jersey, to be U.S. district judge for the District of New Jersey.

Mr. NICKLES. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Katharine Sweeney Hayden, of New Jersey, to be U.S. district judge for the District of New Jersey? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. Mr. President, I announce that the Senator from Vermont, [Mr. JEFFORDS] is necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] and the Senator from Maryland [Ms. MIKULSKI] are necessarily absent.

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 259 Ex.]

YEAS—97

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Ford	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Moseley-Braun
Bennett	Gorton	Moynihan
Bingaman	Graham	Murkowski
Bond	Gramm	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Bumpers	Harkin	Roberts
Burns	Hatch	Rockefeller
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee	Hutchinson	Sarbanes
Cleland	Hutchison	Sessions
Coats	Inhofe	Shelby
Cochran	Inouye	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kempthorne	Snowe
Coverdell	Kennedy	Specter
Craig	Kerrey	Stevens
D'Amato	Kerry	Thomas
Daschle	Kohl	Thompson
DeWine	Kyl	Thurmond
Dodd	Landrieu	Torricelli
Domenici	Lautenberg	Warner
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Enzi	Lieberman	
Faircloth	Lott	

NOT VOTING—3

Biden	Jeffords	Mikulski
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The nomination was confirmed.

STATEMENT ON NOMINATION OF JUDGE KATHARINE SWEENEY HAYDEN

Mr. LEAHY. Mr. President, today is the 40th anniversary of the beginning of the end of racial segregation in the public schools in Little Rock, AR. As we turn to reflect on Little Rock and the aftermath of the Supreme Court's landmark decision on public school segregation, we should consider the important lessons those times still hold for us today. Little Rock was a testing point in our history when the rule of law and respect for our courts and Constitution prevailed.

Three years earlier, the Supreme Court's unanimous Brown versus Board of Education decision prompted a concerted assault on the judiciary. On March 12, 1956, 81 Members of Congress signed a resolution condemning that ruling as a "clear abuse of judicial power" and part of a "trend in the Federal judiciary to legislate, in derogation of the authority of Congress, and